

## DAVID I. BAUMGARTNER,

Plaintiff,

V.

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

Case No.: 2:15-cv-01912-RFB-GWF

COMES NOW Defendant Carolyn W. Colvin, Acting Commissioner of Social Security (Defendant), by and through her counsel, Daniel G. Bogden, United States Attorney, and Marla Letellier, Special Assistant United States Attorney, to request that this Court extend the time to respond to Plaintiff's Motion for Remand, which was filed on April 11, 2016, by 30 days from May 16, 2016 to June 15, 2016. This is Defendant's first request for an extension of time to respond to Plaintiff's Motion. Counsel for Defendant contacted Plaintiff's counsel on May 11, 2016, and Plaintiff does not oppose Defendant's motion. Defendants' current deadline is May 16, 2016.

The instant request is not intended to cause delay and is necessary because counsel for Defendant has been unexpectedly out of the office during the first half of this week due to illness.

1 Defendant requests a 30 day extension because of Counsel's heavy workload, which includes  
2 preparing a Ninth Circuit appellee's brief as well as dispositive motions in nine Federal District Court  
3 cases between May 10, 2016 and May 31, 2016. Finally, Counsel's husband will be having knee  
4 surgery in early June and Counsel anticipates being out of the office for three to five days at that time.

5 It is therefore respectfully requested that Defendant be granted a thirty (30) day extension of  
6 time to respond to Plaintiff's motion, up to and including June 15, 2016.

7 Dated: May 11, 2016.

8 Respectfully submitted

9 DANIEL G. BOGDEN  
United States Attorney

10 /s/ Marla K. Letellier  
11 MARLA K. LETELLIER  
Special Assistant United States Attorney

12  
13 OF COUNSEL:

14 DEBORAH STACHEL  
Acting Regional Chief Counsel

15  
16  
17 IT IS SO ORDERED:

18   
19 UNITED STATES MAGISTRATE JUDGE

20 DATED: \_\_\_ May 12, 2016 \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I, Marla Letellier, certify that the following individual(s) were served with a copy of the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME** on the date, and via the method of service, identified below:

**CM/ECF:**

Marc V. Kalagian  
Law Offices of Rohlfing & Kalagian, LLP  
211 East Ocean Boulevard, Suite 420  
Long Beach, CA 90802  
Email: marc.kalagian@rksslaw.com

Gerald M. Welt  
Attorney at Law  
703 S. Eight Street  
Las Vegas, NV 89101

Dated this 11th day of May, 2016

/s/ Marla K. Letellier  
MARLA K. LETELLIER  
Assistant United States Attorney